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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,278	07/31/2003	Amy E. Battles	200206044-1	3756

22879 7590 03/01/2006

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EXAMINER	
CHEN, WEN YING PATTY	

ART UNIT	PAPER NUMBER
2871	

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/631,278	BATTLES, AMY E.	
	Examiner	Art Unit	
	Wen-Ying P. Chen	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,13,14,19 and 21-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,13,14,19,21 and 23-27* is/are rejected.

7)☒ Claim(s) *22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's Amendment filed Jan. 6, 2006 has been received and entered. Claims 28 and 29 are cancelled per the Amendment filed. Claims 1-5, 13-14, 19 and 21-27 are now pending in the current application.

Allowable Subject Matter

The indicated allowability of claim 1-5, 13-14, 19, 21-23 and 29 is withdrawn in view of the newly discovered reference(s) to Lentz et al. (US 5101298). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

Claims 1-5, 13-14, 19, 21 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selker (US 5777704) in view of Lentz et al. (US 5101298).

With respect to claim 1: Selker disclose in Figure 2 a device, comprising:

a device body;

a display enclosure (element 207) outwardly protruding from the device body;

a display (element 209) located in the display enclosure; and

a shield unit comprising a display shield (element 201),

the display shield being coupled to the display enclosure, so that the display shield may be selectively oriented in at least a first position covering the display (Column 4, lines 35-37 and

lines 61-67; wherein the shield can be positioned within at least 90° with respect to the display such that at one position, the shield covers the entire display), a second position shading the display from incident light (as shown in Figure 3), and a third position retracted behind the display (as shown in Figure 2).

Selker fails to disclose that the device further comprises of auxiliary shade screen coupled to the display shield by means of an adjustable coupler such that a position of the auxiliary shade screen is adjustable.

However, Lentz et al. disclose in Figure 1 auxiliary shade screen (elements 120A and 120B) coupled to the display shield by means of an adjustable coupler (element 140), the auxiliary shade screen providing additional shade from incident light on the display and the position of the auxiliary shade screen is adjustable (Column 3, lines 46-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a device as the one taught by Selker wherein the device further comprises of auxiliary shade screen coupled to the display shield by means of an adjustable coupler such that a position of the auxiliary shade screen is adjustable as taught by Lentz et al., since Lentz et al. teach that the adjustable auxiliary shade screen provides the device with wider angle light shielding mechanism (Column 2, lines 11-17).

As to claim 2: Selker further discloses in Figure 2 that the device further comprises a coupling member (element 220) coupled to the display shield (element 201), such that when the coupling member is disposed in a tract (element 219) residing in the display enclosure, the coupling member slides within the track so that the display shield may be slideably changed to at least the first position, the second position and the third position.

As to claim 3: Selker further discloses in Figure 2 that the coupling member comprises a pin (element 220), and wherein a portion of the pin is disposed within the track so that the pin slides within the track (Column 4, lines 43-49).

As to claim 4: Selker further discloses in Column 4 lines 43-49 that a second coupling member is coupled to the display shield, such that when the second coupling member is disposed in a second track residing in an opposing side of the display enclosure, the coupling member and the second coupling member slide within the track and the second track, respectively, so that the display shield may be selectively oriented in the first position, the second position and the third position.

As to claim 5: Selker further discloses in Figure 2 that the device further comprising an attachment member (element 215) rigidly attached to the display shield (element 201) and rigidly attached to the coupling member (element 220).

As to claim 21: Selker further discloses in Column 4 lines 63-66 that the shield unit in the third retracted position (as shown in Figure 3) is oriented behind the display enclosure in a position that is substantially adjacent to and substantially parallel to a backside of the display enclosure (wherein when the shield is behind the display, the shield is allowed with positions within at least 90° with respect to the display, which includes being substantially parallel to a backside of the display enclosure).

As to claim 23: Selker further discloses in Figure 2 and Column 4 lines 61-67 that the coupling member (element 220) additionally rotates within the track.

With respect to claim 13: Selker discloses in Figure 2 a device comprising: means for coupling a coupling member (element 215) to a display shield (element 201); and means for

slideably coupling (element 220) the coupling member to a tract (element 219) residing in a display enclosure (element 207) to permit the display shield to be oriented in a protecting position covering the display (Column 4, lines 35-37 and lines 61-67; wherein the shield can be positioned within at least 90° with respect to the display such that at one position, the shield covers the entire display), in a shading position (as shown in Figure 3) shading the display from incident light, and in a retracted position (as shown in Figure 2) locating the display shield behind the display.

Selker fails to disclose that the device further comprises of auxiliary shade screen coupled to the display shield by means of an adjustable coupler such that a position of the auxiliary shade screen is adjustable.

However, Lentz et al. disclose in Figure 1 auxiliary shade screen (elements 120A and 120B) coupled to the display shield by means of an adjustable coupler (element 140), the auxiliary shade screen providing additional shade from incident light on the display and the position of the auxiliary shade screen is adjustable (Column 3, lines 46-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a device as the one taught by Selker wherein the device further comprises of auxiliary shade screen coupled to the display shield by means of an adjustable coupler such that a position of the auxiliary shade screen is adjustable as taught by Lentz et al., since Lentz et al. teach that the adjustable auxiliary shade screen provides the device with wider angle light shielding mechanism (Column 2, lines 11-17).

As to claim 14: Selker further discloses in Column 4 lines 61-67 that the device further comprising a rotation means operable to permit the display shield to be rotated about the rotation means to a selectable shading position (180° rotation is allowed).

As to claim 19: Lentz et al. further disclose in Column 2 lines 5-7 that the device is an image capture device.

With respect to claim 24 (Amended): Selker discloses in Figure 2 a device comprising:

a display enclosure (element 207) having slots (element 219);

a display (element 209) mounted to the display enclosure, the display having a front and a back, the front being operative to display images;

a shield (element 201) operative to shield the front of the display from incident light; and

first and second extensions (element 215) spaced from each other and extending from the shield (Column 4, lines 43-49; wherein the shield positioning parts are formed in pairs as to correspond to the two lateral sides of the display), each of the first and second extensions having a pin (element 220) at a distal end thereof, each pin engaging within a corresponding one of the slots such that each pin is slideable within the corresponding one of the slots and rotatable such that the shield is movable between a first position (as shown in Figure 3) to block incident light from reaching the front of the display and a second position (as shown in Figure 2) adjacent the back of the display.

Selker fails to disclose that the device further comprises of auxiliary shade screen coupled to the display shield by means of an adjustable coupler such that a position of the auxiliary shade screen is adjustable.

However, Lentz et al. disclose in Figure 1 auxiliary shade screen (elements 120A and 120B) coupled to the display shield by means of an adjustable coupler (element 140), the auxiliary shade screen providing additional shade from incident light on the display and the position of the auxiliary shade screen is adjustable (Column 3, lines 46-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct a device as the one taught by Selker wherein the device further comprises of auxiliary shade screen coupled to the display shield by means of an adjustable coupler such that a position of the auxiliary shade screen is adjustable as taught by Lentz et al., since Lentz et al. teach that the adjustable auxiliary shade screen provides the device with wider angle light shielding mechanism (Column 2, lines 11-17).

As to claim 25: Selker further discloses in Column 4 lines 63-67 that the first and second extensions extend perpendicularly from a plane of the display (wherein the extensions are allowed a wide angle of movements, including being perpendicular to the display).

As to claim 26: Selker further discloses in Column 4 lines 43-49 that the first and second extensions are parallel (shield positioning parts are formed in pairs as to correspond to the two lateral sides of the display, the extensions must be parallel to each other in order for the shield to operate).

As to claim 27: Selker further disclose in Column 4 lines 43-49 that the slots comprise a first slot and a second slot, the first slot and the second slot being located on opposing portions of the display enclosure (wherein shield positioning parts are formed in pairs as to correspond to the two lateral sides of the display).

Allowable Subject Matter

Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: None of the prior arts either alone or in combination fairly teach or suggest that the shield unit when it's in the first position that it is oriented in front of the display enclosure in a position that is substantially adjacent to and substantially parallel to a first surface of the display enclosure, wherein the display resides such that the shield unit covers an exposed area of the display.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Ying P. Chen whose telephone number is (571)272-8444. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Ying P Chen
Examiner
Art Unit 2871

WPC
2/27/06

ANDREW SCHECHTER
PRIMARY EXAMINER